



FEB 09 2018

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT,
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CARREA CHRISTOPHER,) CASE NO.: CV17-738
) (RSL)
PLAINTIFF,) FIRST AMENDED
) COMPLAINT
VS.)
) JURY TRIAL DEMAND
)
FORD MOTOR COMPANY,)
) DEFENDANT.)
)

I. INTRODUCTION

PLAINTIFF, CARREA CHRISTOPHER, ON
BEHALF OF HIMSELF, ALLEGE THE FOLLOWING
AGAINST, DEFENDANT, FORD MOTOR COMPANY,
INCLUDING ITS, LINCOLN MOTOR COMPANY, ITS
TRUCKING DIVISIONS, AND MERCURY DIVISIONS

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FIRST AMENDED COMPLAINT

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CARREA CHRISTOPHER

P.O. BOX 741272

SAN DIEGO, CALIF. 92174

1 (COLLECTIVELY "FORD"). PLAINTIFF ALLEGATIONS
2 ARE BASED UPON PERSONAL KNOWLEDGE AS TO
3 THEIR OWN ACTS AND EXPERIENCES IN THIS
4 MATTER, THE INVESTIGATIONS, AND UPON
5 INFORMATION AND BELIEF AS TO ALL OTHER
6 MATTERS.

7 8 II. SUMMARY OF CASE 9

10
11 1. HISTORICALLY, THE NATIONAL
12 HIGHWAY TRAFFIC AND SAFETY ADMINISTRATION,
13 ("NHTSA") OPENS AN INVESTIGATION OF ALLEGED
14 SAFETY DEFECTS IT IS DUE TO INJURIES. IN
15 THE CASE OF THE VEHICLE OF THIS CASE THE
16 PLAINTIFF, CARREA CHRISTOPHER, WAS INJURED,
17 NHTSA INVESTIGATED DUE TO DEATHS. WHEN AN
18 NHTSA INVESTIGATION BEGAN OF THE 2006 FORD
19 RANGERS, THE DEFENDANTS, FORD MOTOR COMPANY
20 WAS NOTIFIED OF THE RECALL RECOMMENDATIONS.

21 2. A RECALL IS ISSUED WHEN A
22 MANUFACTURER OR NHTSA DETERMINES THE VEHICLE
23 CREATES AN UNREASONABLE SAFETY RISK OR
24 FAILS TO MEET MINIMUM SAFETY STANDARDS. IN
25 THIS CASE NHTSA, DETERMINED THE UNREASONABLE
26 SAFETY RISKS DUE TO THE NUMEROUS INJURIES
27 AND WORSE. THE DEFENDANTS, FORD MOTOR

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1 COMPANY, FOUNDATION WAS THE COST OF LIVES
2 IS LESS IMPORTANT THEN THERE PROFITS. THEY
3 DETERMINED THE GENERAL PUBLIC SHOULD NOT BE
4 NOTIFIED AND FOUGHT AGAINST THE RISK.

5 3. A RECALL WAS ISSUED WHEN
6 NHTSA, DETERMINED THE 2006 FORD RANGER
7 CREATED AN UNREASONABLE SAFETY RISK AND
8 FAILED TO MEET MINIMUM SAFETY STANDARDS.

9 4. THE DEFENDANTS FORD MOTOR
10 COMPANY WAS ORDERED TO RECALL THE 2006 FORD
11 RANGER AND TO FIX THE PROBLEM BY REPAIRING
12 THE 2006 FORD RANGER, BY REPAIRING IT,
13 REPLACE IT, OFFER A REFUND, OR REPURCHASE
THE VEHICLE.

14 5. FORD MOTOR CAMPANY ("FORD") IN
15 THIS CASE REFUSED ALL AND FAILED TO NOTIFY.

16 6. RANGER VEHICLES MANUFACTURED
17 MARCH 24, 2003 TO MAY 4, 2006, (THE VEHICLE
18 THE PLAINTIFF WAS INJURED IN WAS
19 MANUFACTURED BY FORD MOTOR COMPANY DURING
20 THE STATED TIME PERIOD (2006 FORD RANGER) BY
21 FORD MOTOR COMPANY WAS RECALLED DUE TO THE
22 FACT, UPON DEPLOYMENT OF THE DRIVER SIDE
23 FRONTAL AIR BAG, (THE PLAINTIFF WAS INJURED
24 BY THE FRONTAL AIR BAG AND AIR BAG
25 INFLATOR) EXCESSIVE INTERNAL PRESSURE
CAUSES THE INFLATOR TO RUPTURE.

26 7. LIKE OTHER MANUFACTURERS FORD

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1 FAILED TO MEET THESE ENGINEERING CHALLENGES
2 AS EVIDENCED BY THEIR DENIAL OF THE VEHICLE
3 DANGERS DESPITE DEATHS AND SERIOUS INJURIES
4 TO OCCUPANTS OF THE VEHICLE. FORD
5 CHALLENGED THE RECALL PRIOR TO AND AFTER
6 THE RECALL ORDER.

7 8.THE FORD MOTOR COMPANY, PLACES
8 WHAT IS DESCRIBED AS A BOMB IN THEIR 2006
9 FORD RANGERS AND OTHER VEHICLES
10 MANUFACTURED BY FORD MOTOR COMPANY.THE
11 VEHICLES ARE EQUIPED WITH EXPLOSIVE
12 CHEMICALS MENT TO EXPLODE TO INFLATE THE
13 AIRBAG. THE CHEMICAL BEGINS DETERIORATING
14 OVER TIME DUE TO THE FACT THE MANUFACTOR
15 ALSO PLACES A DEFECTED METAL CANISTER
16 DESIGN CONTAINING IT. ALL OF WHICH IN FAR
17 TO MANY CASES BECOME A LETHAL WEAPON
18 ARMAMENT. THIS IS EXACTLY WHAT HAPPENED TO
19 THE PLAINTIFF WITH SUCH FORCE WHEN HE GAIN
20 CONSCIOUS AND CONGNIZANT IT WAS A FEAR NO
21 ONE SHOULD EXPERIENCE IN PAIN AS IF A WAR
22 ZONE.

23 9. IF NOT FOR THE INFLATOR
24 RUPTURE, THE CRASH WOULD BEEN MODERATE AND
25 WOULD'NT HAVE CAUSE THE PLAINTIFF INJURIES.

26 10.THE UNITED STATES HIGHWAY
27 TRAFFIC SAFETY ADMINISTRATION REJECTED A
28 PETITION BY FORD TO DELAY THE RECALL, DUE

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1 TO FAR TO MANY CASUALTIES SUCH AS PLAINTIFF
2 AND OTHERS. THE UNITED STATES HIGHWAY TRAFFIC
3 SAFETY ADMINISTRATION, STATED IT DID NOT
4 FIND THE REQUEST OF FORD MOTOR, THE SECOND
5 LARGEST U.S. AUTOMAKER TO DETER A RECALL
6 UNTIL ADDITIONAL TESTING WAS CONDUCTED,
7 "REASONABLE UNDER THE CIRCUMSTANCES OR
8 SUPPORTED BY THE TESTING AND DATA IT HAS
9 CONDUCTED." FORD MOTOR COMPANY FELT MORE
10 INJURIES SUCH AS THE PLAINTIFF WAS AN
11 OPTION FINE WITH THEM.

12 11. TO ADD INSULT TO INJURY, FORD
13 MOTOR COMPANY, PUBLICLY STATED OPENLY THEY
14 WOULD ACCOMADATE THE RECALL, BUT TREATED
15 CONSUMERS, IMPOLITE AND ILL-MANNERED. WHEN
16 THE PLAINTIFF FINALLY WAS WELL ENOUGH TO GO
17 TO FORD MOTOR THEY STATED THE PLAINTIFF
18 COULD BUY A BAG, BUT THE RECALL REPLACEMENT
19 WOULD HAVE TO WAIT DESPITE MAKING THE
20 STATEMENT AND DECLARATION A YEAR PRIOR TO
21 REPLACE.

22 12. FORD KNEW OR SHOULD HAVE
23 KNOWN ABOUT THE DEFECTS YEARS PRIOR TO THE
24 ISSUE OF THE RECALL.

25 13. DESPITE KNOWING OF THE
26 DEFECTS, FORD REFUSES TO WARN DRIVERS OF
27 THE DANGER AND DEFECTIVE AIR BAG AND
28 INFLATOR.

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1 14. PLAINTIFF, SEEK RELIEF FOR
2 HIMSELF. PLAINTIFF REQUEST AN AWARD OF
3 DAMAGES AND APPROPRIATE EQUITABLE RELIEF.
4

5 **III. PARTIES**
6

7 15. CARREA CHRISTOPHER. AT THE
8 TIME OF FILLING THE COMPLAINT WAS A CITIZEN
9 OF WASHINGTON AND CALIFORNIA.
10

11 16. FORD MOTOR COMPANY IS A
12 DELWARE CORPORATION WITH ITS PRINCIPLE
13 PLACE OF BUSINESS AT ONE AMERICAN ROAD,
14 DEARBORN, MICHIGAN 48121. FORD IS IN THE
15 BUSINESS OF DESIGNING, MANUFACTURING,
16 MARKETING, AND DISTRIBUTING MOTOR VEHICLES.

17 17. AT ALL TIMES RELEVANT TO THIS
18 ACTION, FORD DESIGNED, MANUFACTURED,
19 MARKETING, DISTRIBUTED, AND WARRANTED THE
20 VEHICLES AT ISSUE IN THE STATE OF
21 WASHINGTON AND THROUGHOUT THE UNITED STATES
22 AND HAD BUSINESS IN WASHINGTON.

23 18. FORD MOTOR COMPANY ARE UNDER
24 FEDERAL ORDERS IN THE STATE OF WASHINGTON
25 AND THE UNITED STATES DUE TO, UNITED STATES
26 NATIONAL TRAFFIC SAFETY ADMINISTRATION,
27 RECALL ORDERS, ISSUED BY THE SECRETARY OF

28 **PAGE SIX**

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1 TRANSPORTATION PURSUANT TO 49 USCA 30166
2 AND 49 C.F.R. 510.7. ALL THE OBLIGATIONS
3 OUTLINED IN THE ORDER HAD THE ADDITION
4 OBLIGATION OUTLINED IN ALL PRIOR STANDING
5 GENERAL ORDERS, AS WELL AS ARC'S STATUTORY
6 AND REGULATORY OBLIGATIONS.

7
8 **IV. JURISDICTION AND VENUE**

9 **FORD MOTOR COMPANY HERIN AFTER KNOWN AS**
10 **FORD; JURISDICTION ALSO ON PAGE SEVENTEEN**

11 19. VENUE IS PROPER IN THIS DISTRICT UNDER
12 28 USCA 1391 BECAUSE FORD TRANSACTS
13 BUSINESS IN THIS DISTRICT, AND A
14 SUBSTANTIAL PART OF THE EVENTS OR
15 OMISSIONS GIVING RISE TO PLAINTIFF CLAIMS
16 OCCURRED IN THIS DISTRICT. THIS COURT ALSO
17 HAVE JURISDICTION OVER THIS CASE DUE TO THE
18 FACT THE PLAINTIFF IS IN A CLASS UNDER THE,
19 FAIRNESS ACT, 23 U.S.C. 1332(D). THERE ARE
20 AT LEAST ONE HUNDRED MEMBERS OF THE
21 PROPOSED CLASSES. (PROPOSED, NHTSA, FEDERAL
22 RECALL COMPLAINT) THE AGGREGATED CLAIMS OF
23 THE INDIVIDUAL CLASS MEMEBERS EXCEED THE
24 SUM VALUE OF \$5,000,000, EXCLUSIVE OF
25 INTEREST AND COST, AND THIS IS A CLASS
26 ACTION IN WHICH FORD AND MORE THAN TWO-
27 THIRDS OF THE PROPOSED CLASSES ARE CITIZENS
28 OF DIFFERENT STATES.

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1 20. THIS COURT MAY EXERCISE
2 JURISDICTION OVER FORD BECAUSE IT IS
3 REGISTERED TO CONDUCT BUSINESS IN
4 WASHINGTON, IT HAS SUFFICIENT MINIMUM
5 CONTACTS IN WASHINGTON, AND IT
6 INTENTIONALLY AVAILS ITSELF OF THE MARKETS
7 WITHIN WASHINGTON THROUGH THE PROMOTION,
8 SALE, MARKETING, AND DISTRIBUTION OF ITS
9 VEHICLES, THUS RENDERING JURIDICITION BY
10 THIS COURT PROPER AND NECESSARY. FORD MOTOR
11 COMPANY BE BE BOTH DEFENDANTS, AND
12 PLAINTIFFS, IN THIS DISTRICT.

13 **V. SUBSTANTIVE ALLEGATIONS**

14
15 21. TO THE EXTENT USED IN THIS
16 CIVIL COMPLAINT, THE FOLLOWING DEFINITIONS
17 APPLY: THE DEFINITIONS OF "**AFFILIATE**,"
18 "**MANUFACTURER**," "**ORIGINAL EQUIPMENT**," AND
19 "**REPLACEMENT EQUIPMENT**" CAN BE FOUND IN 49
20 USCA 30102 AND 49 C.F.R. 573.

21 22. "**INFLATOR**" MEANS ANY GAS
22 GENERATOR (PROTECHNIC, STORED GAS, OR
23 HYBRID) USED TO INFLATE AN AIR BAG IN A
24 SUPPLEMENTAL RESTRAINT SYSTEM THAT IS
25 MANUFACTURED BY ONE, REGARDLESS OF THE AIR
26 BAG'S POSITION IN THE VEHICLE (WHETHER

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1 DRIVER, PASSENGER, CENTER, OR REAR SEAT AND
2 WHETHER FRONTAL, SIDE, KNEE, CURTIAN, OR
3 OTHER); REGARDLESS OF THE MOTOR VEHICLE
4 MANUFACTURER (THE CUSTOMER); REGARDLESS OF
5 WHETHER IT WAS MANUFACTURED AS ORIGINAL
6 EQUIPMENT OR REPLACEMENT EQUIPMENT; AND
7 REGARDLESS OF WHETHER IT IS A SINGLE STAGE
8 OR DUAL STAGE.

9 23. AN **"INFLATOR RUPTURE"** MEANS
10 AN INCIDENT (OR ALLEGED INCIDENT), WHETHER
11 IN THE UNITED STATES OR ABROAD, BY WHICH
12 SOME MECHANISIM (E.G., EXCESSIVE INTERNAL
13 PRESSURE INSIDE THE INFLATOR) CAUSES THE
14 INFLATOR BODY TO BURST OR BREAK APART AT
15 ANY TIME. SIGNS OF AN INFLATOR RUPTURE
16 INCLUDE, BUT ARE NOT LIMITED TO, UNUSUAL
17 TEARS IN AIR BAG CUSHION FABRIC, AND/OR
18 METAL SHARDS DETECTED OR FOUND IN THE
19 INFLATOR, MODULE, AIR BAG, OR TESTING
20 CHAMBER.

21 24. AS USED HEREIN, THE TERM
22 **"NOTICE"** CONSIST OF INFORMATION RECEIVED
23 FROM SOURCES IN ANY FORM (WHETHER WRITTEN
24 OR ORAL), ABOUT AN INCIDENT IN WHICH AN
25 INFLATOR RUPTURED OR IS ALLEGED TO HAVE
26 RUPTURED. NOTICE SHALL NOT BE CONSTRUED TO
27 INCLUDE RUMORS OR ALLEGATIONS FROM THIRD

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1 PARTIES THAT ARE NOT WIDELY DISSEMINATED.

2 25. FORD DESIGNS, MANUFACTURERS,
3 MARKET AND DISTRIBUTES MOTOR VEHICLES IN
4 THE STATE OF WASHINGTON AND THE UNITED
5 STATES AND ABROAD. THE FORD MODELS THAT ARE
6 THE SUBJECT OF THIS COMPLAINT ARE THE 2006
7 FORD RANGER.

8 26. FORD MOTOR COMPANY,
9 MANUFACTURES THROUGH THEIR FABRICATION AND
10 CREATION OF THE 2006 FORD RANGER, WITH AN
11 INFLATOR, THAT UPON DEPLOYMENT OF THE
12 DRIVER SIDE FRONTAL AIR BAG, EXPLODES IN
13 EXCESSIVE INTERNAL PRESSURE THAT CAUSES THE
14 INFLATOR RUPTURE, WHICH HAS RESULTED IN
SERIOUS INJURY OR DEATH.

15 27. FORD MOTOR COMPANY, WAS GIVEN
16 NOTICE BY THE UNITED STATES NATIONAL
17 HIGHWAY TRAFFIC SAFETY ADMINISTRATION AND
18 CONSUMERS CLAIMS AND COMPLAINTS FOR MORE
19 THEN A DECADE, BUT HAS CHOSEN TO DENY AND
20 CONTEST THE FACTS AT A COST TO FORD TEN
21 TIMES THE AMOUNT IT WOULD HAVE COST THEM TO
22 DECLARE THE FORD RANGERS UNSAFE AND
23 REPURCHASED ALL THE REMAINING FORD RANGERS,
TEN YEARS AGO.

24 28. THE FORD MOTOR COMPANY, 2006
25 FORD RANGERS, THE SUBJECT OF THIS COMPLAINT

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1 PRESENTS MANY SAFETY CHALLENGES AND
2 ENCOUNTERS, TO CONSUMERS, FORD MOTOR
3 COMPANY, HAS A DUTY AND OBLIGATION TO
4 INFORM CONSUMERS, IN FORM AND PROCEDURES
5 MOST CONSUMERS CAN BE REACHED. THE
6 PLAINTIFF, NEVER KNEW OF THE DANGERS OF THE
7 2006 FORD RANGER INFLATOR, UNTIL HE WAS HIT
8 BY THE BAG WITH SUCH A FORCE HE WENT
9 UNCONSCIOUS COMATOSE. HE WAS TOLD AFTER
10 DAYS LATER THE BAG AND INFLATOR WAS RECALL.
11 IT IS NOT PROBLEMATIC FOR FORD MOTOR
12 COMPANY, TO ADVERTISE TO SELL UNSAFE
13 VEHICLES, THEY SPEND BILLIONS AND SEEK AND
14 PURSUE OTHER WAYS TO SPEND BILLIONS MORE TO
15 SELL UNSAFE AND HAZARDOUS VEHICLES, YET DID
16 NOT HAVE ONE SINGLE ADVERTISEMENT TO WARN
17 THE PUBLIC OF SERIOUS DANGERS OF THE FORD
18 RANGERS. FORD MOTOR KNOWS HOW TO INFORM THE
19 PUBLIC BUT CHOSE NOT TO.

20 29. FORD KNEW OR SHOULD HAVE
21 KNOWN ABOUT THE DEFECTS SINCE AT LEAST 2012
22 WHEN MORE THEN 10 COMPLAINTS WERE FILED
23 REGARDING THE AIR BAG OF THE 2006 FORD
24 RANGER.

25 30. FORD MOTOR COMPANY DESIGNED,
26 MANUFACTURED, MARKETING, AND DISTRIBUTED,
27 THE 2006 FORD RANGER IN THE UNITED STATES
28 UNDER THE FORD MOTOR NAME. THE FORD MOTOR

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1 COMPANY 2006 FORD RANGER IS THE SUBJECT OF
2 THIS COMPLAINT.

3 31. WHEN THE UNITED STATES
4 NATIONAL HIGHWAY TRAFFIC SAFETY
5 ADMINISTRATION, (HEREINAFTER KNOWN AS,
6 NHTSA) INITIATES A SAFETY RECALL IT REQUIRES
7 A MANUFACTURER'S ACTION TO ANNOUNCE AND
8 REMEDY THE DEFECTS. IN THIS CASE FORD MOTOR
9 COMPANY REFUSED AND FAILED TO PROPERLY
10 ANNOUNCE AND REMEDY THE DEFECTS THAT COULD
11 HAVE PREVENTED THE PLAINTIFF INJURY.

12 32. A RECALL IS ISSUED WHEN A
13 MANUFACTURER OR NHTSA DETERMINES THAT A
14 VEHICLE, EQUIPMENT, CREATES AN UNREASONABLE
15 SAFETY RISK OR FAILS TO MEET MINIMUM SAFETY
16 STANDARDS. IT MUST BE NOTED, MOST DECISIONS
17 TO CONDUCT A RECALL AND SAFETY DEFECT ARE
18 MADE VOLUNTARILY TO PREVENT DEATHS, PRIOR
19 TO ANY INVOLVEMENT BY NHTSA PRIOR TO
20 DEATHS.

21 33. FORD MOTOR COMPANY IN THE
22 RECALL THAT IS SUBJECT OF THIS CIVIL
23 COMPLAINT, FOUGHT THE RECALL AFTER DEATHS
24 DUE TO THE DEFECTS OF THE, 2006 FORD RANGER
25 MANUFACTURED BY FORD MOTOR COMPANY.

26 34. MANUFACTURERS ARE REQUIRED BY
27 NHTSA TO FIX THE PROBLEMS BY REPAIRING IT,
28 REPLACING IT, OFFERING A REFUND, OR

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1 REPURCHASING THE VEHICLES, PRIOR TO AN
2 ACCIDENT.

3 35. FORD MOTOR COMPANY REFUSED TO
4 PRIOR TO THE ACCIDENT AND HAS FAILED TO
5 FULLY CORRECT EVEN AFTER THE ACCIDENT.

6 36. THE NHSTA, AFTER YEARS OF
7 COMPLAINTS AND FAILED ATTEMPTS TO HAVE FORD
8 MOTOR COMPANY TO VOLUNTARILY REPLACE THE
9 AIR BAG AND INFLATOR HAD NO CHOICE BUT TO
10 PROTECT THE GENERAL PUBLIC AS MUCH AS THEY
11 COULD, ORDERED RECALL MAY 28, 2015,
12 PURSUANT TO RECALL NUMBER 15V322000, TO
13 NOTIFY THE GENERAL PUBLIC ESPECIALLY 2006
14 FORD RANGER DRIVERS.

15 37. FORD MOTOR CAMPANY, CLASHED
16 WITH ALL PROOF OF THE DEFECTS. THE DAY
17 PRIOR TO THE RECALL, MAY 27, 2015, DESPITE
18 NUMEROUS DEATHS AND INJURIES, WAGED WAR
19 WITH THE FACTS AND STATED, THEY WHERE NOT
20 AWARE OF ANY REPORTED INJURIES ON 2004-2006
21 MODEL YEAR FORD RANGERS.

22 38. NHSTA, ALSO SUPPORTED THEIR
23 FACTS BY AN INDEPENDENT MONITOR BY AN
24 "COORDINATED REMEDY PROGRAM" (TK HOLDINGS
25 INC.) .

26 39. FORD MOTOR CAMPANY PLACES A
27 SMALL BOMB IN THE STEERING COLUMN, THAT
28 EXPLODES IN DIFFERENT MANNERS THAT CAUSE

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STANDARD NO. 108, "LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT." THE MULTI-FUNCTION SWITCH WAS SHIPPED WITH A SUBCOMPONENT (SLIDER) THAT MAY EXPERIENCE DEFORMATION. A MULTI-FUNCTION SWITCH WITH A DEFORMED SLIDER MAY MALFUNCTION CAUSING THE TURN SIGNAL, TAIL LIGHTS, HAZARD WARNING SIGNAL FLASHERS AND/OR BRAKE LIGHTS NOT TO ACTIVATE.

Consequence

NON-FUNCTIONING LIGHTS COULD INCREASE THE RISK OF A CRASH.

What Owners Should Do

DEALERS WILL REPLACE THE SWITCHES FREE OF CHARGE. THE SAFETY RECALL BEGAN ON AUGUST 15, 2011. OWNERS MAY CONTACT FORD MOTOR COMPANY CUSTOMER RELATIONSHIP CENTER AT 1-866-436-7332.

Recall Number	Recall Date
15V322000	05/28/2015

Component

AIR BAGS:PASSENGER SIDE FRONTAL

Summary

Ford Motor Company (Ford) is recalling certain model year 2004-2006 Ranger trucks manufactured March 24, 2003, to May 4, 2006. The affected vehicles are equipped with a passenger side frontal air bag that may be susceptible to moisture intrusion which, over time, could cause the inflator to rupture.

Consequence

In the event of a crash necessitating deployment of the passenger's frontal air bag, the inflator could rupture with metal fragments striking the vehicle occupants potentially resulting in serious injury or death.

What Owners Should Do

Ford will notify owners, and dealers will replace the front passenger air bag inflator, free of charge. The recall began on December 4, 2015. Owners may contact Ford customer service at 1-866-436-7332. Ford's number for this recall is 15S22. Note: This recall partially supersedes recall 14V-787.

Part 573 Safety Recall Report**15V-322****Manufacturer Name :** Ford Motor Company**Submission Date :** MAY 27,2015**NHTSA Recall No. :** 15V-322**Manufacturer Recall No. :** 15S22**Manufacturer Information :**

Manufacturer Name : Ford Motor Company

Address : 330 Town Center Drive

Suite 500 Dearborn MI 48126-2738

Company phone : 1-866-436-7332

Population :

Number of potentially involved : 361,523

Estimated percentage with defect : 0

Vehicle Information :

Vehicle : 2004-2006 Ford Ranger

Vehicle Type : LIGHT VEHICLES

Body Style :

Power Train : NR

Descriptive Information : Ford Motor Company (Ford) is conducting a safety recall on 2004-2006 MY Ford Ranger vehicles equipped with Takata SPI passenger side airbag inflators.

As discussed with NHTSA, Ford Motor Company is modifying recall (14S28 / 14-V787) with a new expanded safety recall 15S22. All Ranger vehicles previously serviced under (14S28 / 14-V787) action will be migrated into the new recall (15S22) for VIN identification and completion rate reporting. All GT vehicles equipped with PSPI passenger side airbag inflators will remain in (14S28 / 14-V787). Ford will submit an amendment to 14S28 / 14-V787) to reflect GT vehicles only.

These vehicles are not produced in VIN order. Information as to the applicability of this action to specific vehicles can best be obtained by either calling Ford's toll-free line (1-866-436-7332) or by contacting a local Ford or Lincoln dealer who can obtain specific information regarding the vehicles from the Ford On-line Automotive Service Information System (OASIS) database.

Production Dates : MAR 24, 2003 - MAY 04, 2006

VIN (Vehicle Identification Number) Range

Begin : NR

End : NR

☐ Not sequential VINs

Part 573 Safety Recall Report

15V-322

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Recall Schedule :

Description of Recall Schedule : Notification to dealers will occur on May 28, 2015. Mailing of owner notification letters will begin July 13, 2015 and is expected to be completed by July 17, 2015.

Planned Dealer Notification Date : MAY 28, 2015 - MAY 28, 2015

Planned Owner Notification Date : JUL 13, 2015 - JUL 17, 2015

* NR - Not Reported

Part 573 Safety Recall Report**15V-322**

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Description of Defect :

Description of the Defect : On May 18, 2015, Takata submitted a Defect Information Report (DIR) to NHTSA on SPI passenger side airbag inflators. SPI passenger side inflators were installed on Ford Ranger vehicles. Takata's DIR expands the prior vehicle recall population to all 2004-2006 Ranger vehicles equipped with SPI inflators.

Ford is not aware of any reported injuries on 2004-2006 model year Ford Rangers related to this condition.

Description of the Safety Risk : As described by Takata in its Part 573 report, the Takata SPI passenger side inflator could rupture if the vehicle is involved in a crash where the supplemental frontal airbags are designed to deploy. If this occurs, it may increase the risk of injury to the occupants.

Description of the Cause : NR

Identification of Any Warning that can Occur : NR

Supplier Identification :**Component Manufacturer**

Name : T K Holdings

Address : 888 16th Street NW

Washington DISTRICT OF COLUMBIA 20006

Country : United States

Chronology :

On May 18, 2015, Takata submitted a DIR to NHTSA regarding the SPI passenger airbag inflator. Ford evaluated the information contained in Takata's DIR and potential effects on Ford vehicles.

On May 26, 2015, Ford's Field Review Committee reviewed the concern and approved a field action.

Description of Remedy :

Description of Remedy Program : Owners will be notified by mail and instructed to take their vehicle to a Ford or Lincoln dealer to have their passenger side airbag inflator replaced. There will be no charge for this service.

Ford is excluding reimbursement for costs because the original warranty program would provide for a free repair for this concern.

Ford will forward a copy of the notification letters to dealers to the agency when available.

How Remedy Component Differs from Recalled Component : NR

Identify How/When Recall Condition was Corrected in Production : NR

1 INJURIES, PRIMARILY AND PRINCIPALLY DUE TO
2 ACCELERATED BURN RATES. THE PRECISE CAUSE
3 OF THE CHEMICAL PROPELLANT'S ACCELERATED
4 BURN RATE IN DEFECTIVE AIR BAGS IS THE
5 TENDENCY OF THE CHEMICAL-PHASE STABILIZED
6 AMMONIUM NITRATE ("PSAN")-TO DEGRADE OVER
7 TIME WHEN EXPOSED TO HUMIDITY AND HIGH
8 TEMPERATURE THERMAL CYCLES WHICH HAPPENS
9 AFTERS PERIODS OF TIME OF NORMAL USE BY
10 THE DRIVER OF THE VEHICLES, WHICH EXPLODES
11 UNJURING OR KILLING VEHICLE OCCUPANTS, OF
12 THE VEHICLES MADE BY FORD MOTOR. (2006 FORD
RANGERS)

13 40. THERE IS PURSUANT TO NHSTA
14 AND THE INDEPENDENT MONITOR, AT LEAST A
15 ONE-IN-TWO CHANCE THAT, IF A 2006 FORD
16 RANGER IS IN AN ACCIDENT IN WHICH THE AIR
17 BAG DEPLOYS, THEN THE AIR BAG INFLATOR WILL
18 EXPLODE LIKE A GRENADE. THE INFLATORS WERE
19 EXPOSED TO HIGH LEVELS OF HUMIDITY DURING
20 THE PRODUCTION PROCESS THAT ACCELERATED THE
PSAN'S DEGRADATION.

21 41. FORD MOTOR COMPANY, HAD AN
22 ADDITIONAL, NHSTA RECALL JANUARY 25, 2016,
23 (RECALL NUMBER 16V036000). FORD MOTOR
24 COMPANY, DESPITE, THE INEVITABLE AND
25 UNAVOIDABLE INJURIES AND DEATHS, PETITIONED
26 NHSTA, THE FEDERAL GOVERNMENT FOR A AN

PAGE FOURTEEN

27 FIRST AMENDED COMPLAINT

28 CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

P.O. BOX 741272

SAN DIEGO, CALIF. 92174

The Independent
Monitor of Takata
and the Coordinated
Remedy Program

The State of the
Takata Airbag
Recalls

November 15, 2017

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I, John D. Buretta, as Independent Monitor of TK Holdings Inc. ("Takata") and the Coordinated Remedy Program (the "Monitor"), submit this report to describe the current state of the Takata recalls, pursuant to Paragraph 42 of the Consent Order, dated November 3, 2015 (the "Consent Order"), issued pursuant to the authority of the National Highway Traffic Safety Administration and agreed to by Takata, and as amended as of May 4, 2016, and pursuant to the Coordinated Remedy Order, dated November 3, 2015, as amended by the Third Amended Coordinated Remedy Order, dated December 9, 2016.

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I. INTRODUCTION

The Takata airbag inflator recalls are the largest and most complex vehicle recalls in U.S. history. There are currently 19 affected vehicle manufacturers with an estimated 46 million unrepaired defective airbag inflators under recall in approximately 34 million U.S. vehicles. The words “grenade” and “ticking time bomb” accurately convey the lethal potential of these defective inflators.¹ To date, at least 13 people in the U.S. have died from injuries inflicted by defective Takata airbag inflators. In these fatalities, the Takata airbag inflator, instead of properly inflating to cushion the victim and prevent injury, has detonated in an explosion that tore apart its steel inflator housing and sprayed high-velocity metal shards at the victim. The victims have died from blunt head trauma, severance of the spine at the neck or extreme blood loss from lacerations to the chest, neck or face. Hundreds more have been seriously injured by the same kinds of metal shards shooting out from exploding Takata airbag inflators housed inside steering wheels or passenger-side airbag compartments. These are urgent safety recalls; and the combination of over a dozen affected vehicle manufacturers, tens of millions of affected vehicles and the severity of potential death or serious injury is unprecedented.

The U.S. Department of Transportation’s National Highway Traffic Safety Administration (“NHTSA”) has issued Coordinated Remedy Orders directing affected vehicle manufacturers to replace all defective Takata airbag inflators in U.S. vehicles. Most vehicle manufacturers have publicly pledged their commitment to maximizing the completion of recall repairs to the fullest extent possible.

This report assesses the present state of the Takata recalls. Repair completion rates vary widely by vehicle manufacturer, reflecting uneven historical efforts to tackle the complex task at hand. While some vehicle manufacturers have, for some time, dedicated significant resources and multi-pronged strategies to complete repairs with successful results, many manufacturers have only recently begun to pursue such efforts and some others continue to trail behind.

This report further details the research, innovative approaches and coordination efforts across the vehicle manufacturing industry that the Monitor, working closely with NHTSA, has provided pursuant to the authorities set out in the Coordinated Remedy Orders. NHTSA and the Monitor have engaged with the Takata recalls’ numerous stakeholders to develop and test strategies now demonstrated by pertinent data to increase significantly recall completion rates. As affected vehicle manufacturers have embraced these strategies and enhanced their own independent efforts, their completion rates have substantially improved. Repair rates have doubled or even tripled. Several affected vehicle manufacturers are also more quickly meeting or even exceeding completion milestones set by NHTSA.

¹ “Takata airbags”, “Takata inflators” and “Takata airbag inflators” all refer to airbag inflators manufactured and produced by Takata.

Finally, this report looks forward, describing recent initiatives the vehicle manufacturing industry itself has started to apply to the monumental task of removing these dangerous, defective items from all affected U.S. vehicles. From canvassing door-to-door to find vehicle owners, to conducting mobile repairs at homes and places of business, to increasing engagement with local automotive dealers and independent repair facilities, to improving vehicle owner data, many vehicle manufacturers have begun to recognize significant opportunities for improvement and are confronting the challenges head on, working together to develop industry-wide solutions.

II. THE DEFECT

An airbag inflator is a metal canister, often made of steel, which holds inside an explosive chemical propellant. As shown in Figure 1 below, inflators are commonly housed in the steering wheel on the driver's side of a vehicle and, depending on the vehicle type, in various other locations in both the driver's and passenger's area, including the passenger dashboard. In an airbag inflator that functions normally, the chemical propellant begins to burn upon activation by an electrical spark initiated as vehicle sensors detect a collision. When functioning properly, the chemical propellant burns in a fast and controlled manner, quickly emitting a gas through vents in the canister out into the airbag, which inflates to cushion the vehicle occupant.

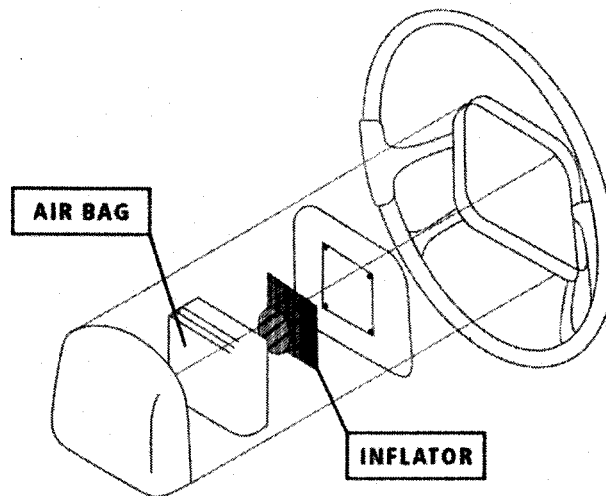


Figure 1: Diagram Showing Placement of Airbag and Inflator in a Steering Column

The danger posed by defective Takata airbag inflators stems from the tendency of the chemical propellant used in those defective inflators to burn in an uncontrolled manner—too fast and with too much explosive force. The metal canister cannot contain the explosion and breaks apart into sharp metal shrapnel that sprays out through the airbag and toward occupants of the vehicle. To many occupants who have experienced the explosion of a defective Takata airbag inflator, it is as if a bomb detonated in their vehicle. Figure 2 contains photographs of various vehicles in the aftermath of such an explosion. Figure 3 contains photographs of the metal shrapnel that shoots out of the disintegrating defective airbag inflators.



Figure 2: Photographs of Vehicles with an Exploded Driver-Side or Passenger-Side Defective Takata Airbag Inflator

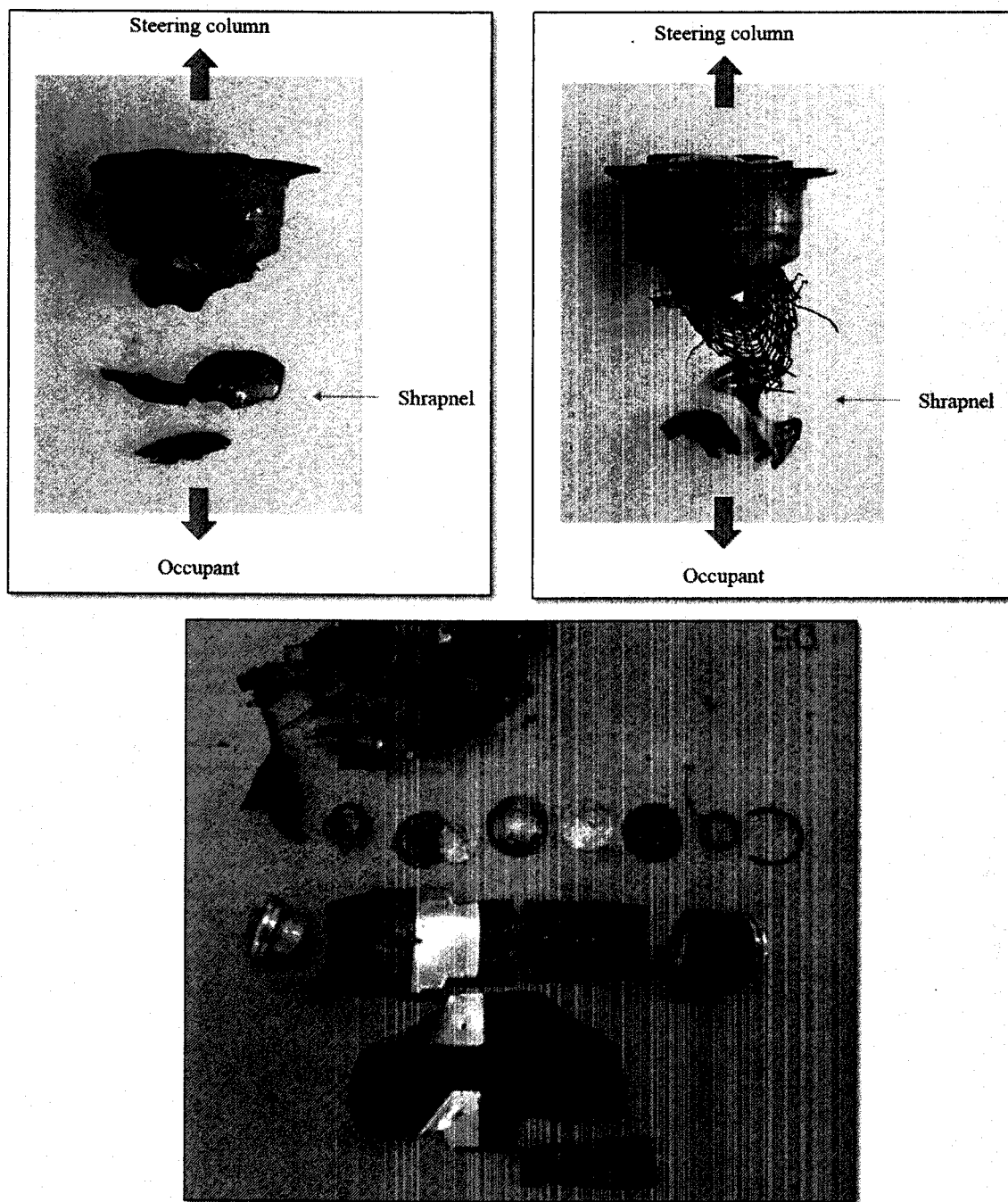


Figure 3: Photographs of Disintegrated Defective Takata Airbag Inflator Shrapnel Following Explosion

Introductory Message—The State of the Takata Recalls

The Takata air bag recalls are the largest and most complex vehicle recalls in U.S. history. Currently these recalls involve 19 vehicle manufacturers and approximately 46 million Takata air bag inflators in an estimated 34 million vehicles in the United States alone. The U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) has a steadfast commitment to the safety of the American public, and has taken unprecedented steps in overseeing the Takata recalls to fulfill this commitment. Below is a brief overview of the efforts NHTSA has taken to ensure that every defective Takata inflator is replaced as quickly as possible:

- **NHTSA's Coordinated Remedy Program:** Recognizing that the unprecedented Takata recalls involve many challenges, in November 2015 NHTSA established a Coordinated Remedy Program, which prioritizes and phases the various Takata recalls to not only accelerate the repairs, but ensure that the highest-risk vehicles are fixed first. As part of the Program, NHTSA urged the vehicle manufacturers to take innovative and proactive actions to maximize recall completion rates, including conducting creative consumer outreach campaigns at nontraditional venues such as sporting events and through large employers, offering mobile repair programs, and door-to-door community engagement.
- **Consent Orders Issued to Takata:** Through its Consent Orders with Takata, NHTSA retained an Independent Monitor with authority to assist NHTSA in overseeing and monitoring the Coordinated Remedy Program. Under NHTSA's direction, the Independent Monitor provided coordinated communications recommendations to the affected vehicle manufacturers to promote effective consumer-outreach strategies. The Monitor also provided recommendations regarding strategic outreach efforts, forecasting tactics, and dealer engagement activities. Both NHTSA and the Independent Monitor work with manufacturers to incorporate these recommendations into their recall activities.
- **Engagement With Vehicle Manufacturers and Part Suppliers:** To effectively oversee the various facets of the Takata recalls, NHTSA regularly engages with vehicle manufacturers and parts suppliers on topics including remedy completion rates, remedy parts supply, and consumer-outreach efforts. This engagement includes regular meetings and calls with vehicle manufacturers, part suppliers, and the Independent Monitor. NHTSA and the Monitor have also held several summits for all affected vehicle manufacturers to collectively share their experience and best practices on recall completion efforts, and to collaborate on opportunities to efficiently and effectively reach vehicle owners and remedy their vehicles.

- Additional Consumer Awareness Efforts: NHTSA continues to engage in efforts to increase consumer awareness of recalls through social, paid, and earned media. In 2017, NHTSA engaged in a radio tour educating the public on safety recalls and how consumers can check their VIN to find out if their vehicle is affected by a recall. NHTSA also maintains a Takata Recalls Spotlight webpage providing extensive information to the public and hosting a video to help consumers understand the Takata recalls and what actions the consumer should take.

As 2017 draws to a close, there is an opportunity to reflect on the lessons learned, and to identify and embrace those activities that have proven most successful as we move forward. To that end, the Independent Monitor of Takata provided NHTSA with a thorough report on the present state of the recalls, which NHTSA is making publicly available. This report provides an overarching assessment of the progress that's been made to date, and identifies some key observations for the future. The report shows the progress made by manufacturers to improve completion rates during these unprecedented recalls. However, there is still much to be done by all involved.

NHTSA will continue its vigilant oversight of the Takata recalls and will ensure that manufacturers continue to make appropriate efforts to maximize recall completion. In doing so, NHTSA will continue to advocate for consumers and take the necessary steps to ensure that every defective Takata inflator is replaced as quickly as possible.



Consequence

AFTER A PERIOD OF CONTINUOUS USE ON THE HIGH SPEED SETTING, LACK OF GREASE ON THE OUTPUT SHAFT GEAR MAY CAUSE THE GEAR TO DISTORT OR FRACTURE DURING OPERATION RESULTING IN A LOSS OF WIPER FUNCTION. INOPERATIVE WIPERS UNDER INCLEMENT WEATHER CONDITIONS COULD CAUSE A CRASH DUE TO IMPAIRED VISIBILITY.

What Owners Should Do

DEALERS WILL INSPECT THE WIPER MOTOR FOR THE PRESENCE OF GREASE AND GREASE THE WIPER MOTOR GEARS IF NECESSARY. THE RECALL BEGAN ON NOVEMBER 22, 2005. OWNERS MAY CONTACT FORD AT 1-800-392-3673 OR LINCOLN/MERCURY AT 1-800-521-4140.

Recall Number	Recall Date
16V036000	01/25/2016

Component

AIR BAGS:FRONTAL:DRIVER SIDE INFLATOR MODULE

Summary

Ford Motor Company (Ford) is recalling certain model year 2004-2006 Ranger vehicles manufactured March 24, 2003, to May 4, 2006. Upon deployment of the driver side frontal air bag, excessive internal pressure may cause the inflator to rupture.

Consequence

In the event of a crash necessitating deployment of the driver's frontal air bag, the inflator could rupture with metal fragments striking the vehicle occupants potentially resulting in serious injury or death.

What Owners Should Do

Ford will notify owners, and dealers will replace the air bag inflators, free of charge. The recall began February 26, 2016. Owners may contact Ford customer service at 1-866-436-7332. Ford's number for this recall is 16S03. Note: This recall supersedes 14V-343 and only applies to Rangers manufactured in North America.

Recall Number	Recall Date	Component
11V352000	07/13/2011	EXTERIOR LIGHTING:TAIL LIGHTS

Summary

Feedback

1 ADDITIONAL POSTPONEMENT, OF THE PREVENTION
2 OF INJURIES AND DEATHS DUE, TO THEM PLACING
3 A GRENADE IN THE STEERING COLUMN OF THE
4 2006 FORD RANGER ON NOVEMBER 10, 2017.
5 NHSTA, STATED, "IT WAS REJECTING A PETITION
6 BY FORD TO DELAY RECALL OF ABOUT 3 MILLION
7 VEHICLES WITH POTENTIALLY DEFECTIVE AIR BAG
8 INFLATORS. FORD MOTOR COMPANY NOT ONLY
9 PLACED THE BOMBS IN THE STEERING COLUMNS OF
10 THE 2006 FORD RANGERS BUT ALL FORD RANGERS
11 FROM 2006 UNTIL AT LEAST 2014.

12 42. FORD MOTOR COMPANY, CAME WITH
13 EVERY EXCUSE IN THE BOOKS TO NOT HAVE THE
14 RECALL. NOVEMBER 30, 2017, FORD MOTOR
15 COMAPNAY GLOBAL DIRECTOR TOLD NHSTA THEY
16 DIDN'T HAVE THE SUPPLY. THAT IS FALSE FORD
17 MOTOR COMPANY HAD THE SUPPLIES TO SELL BUT
18 NOT TO PROVIDE AS INSTRUCTED BY NHSTA. THE
19 PLAINTIFF IN THIS CASE WAS TOLD HE COULD
20 BUY THE AIR BAG AND WAS GIVEN A PRICE BUT
21 FORD COULD NOT PROVIDE THE AIR BAG AS
22 ORDERED BY THE NHSTA. IN FACT AS OF TODAY'S
DATE FORD MOTOR HAS FAILED THE ORDERS OF
NHSTA.

23 43. FORD MOTOR COMPANY, GLOBAL
24 DIRECTOR AGAIN REQUESTED, AN ADDITION
25 EXTENSION OF TIME, DECEMBER 18, 2017, TO
26 ACCOMADATE THE ORDER OF NHSTA SPECIFICALLY.

PAGE FIFTEEN

27 FIRST AMENDED COMPLAINT

28 CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

P.O. BOX 741272

SAN DIEGO, CALIF. 92174

GOOD IS LOW

WASHINGTON — The U.S. National Highway Traffic Safety Administration said on Friday it was rejecting a petition by Ford to delay recall of about 3 million vehicles with potentially defective Takata airbag inflators.

12-10-16

The agency said it did not find the request by the second largest U.S. automaker to defer a recall until additional testing was conducted "reasonable under the circumstances or supported by the testing and data it has collected to date."

1-11-17

Takata inflators can explode with excessive force, unleashing metal shrapnel inside cars and trucks. At least 18 deaths and 180 injuries worldwide have been tied to the defect that led Takata to file for bankruptcy protection in June and prompted at least 19 automakers to issue recalls.

NHTSA also rejected a similar petition filed by Mazda covering about 6,000 vehicles.

Ford did not immediately say if it plans to challenge the agency's decision. "We will cooperate with the agency, as we always do," a spokeswoman said. The vehicles in question include the 2007-11 Ford Ranger, 2006-12 Fusion and Lincoln MKZ, 2006-11 Mercury Milan, and 2007-10 Ford Edge and Lincoln MKX.

In June, NHTSA said new testing prompted Takata to declare inflators defective in Ford, Nissan and Mazda vehicles in some driver-side airbags. Nissan agreed to a recall of 515,000 vehicles in July.

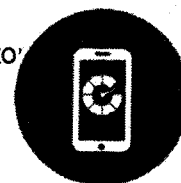
NHTSA did agree in 2016 to a request by General Motors to delay a recall of 2.5 million vehicles with Takata inflators as the Detroit automaker conducts additional testing to determine if the vehicles should have replacement inflators.

Separately, a report issued Friday by an independent monitor of the Takata recalls said more than 10 million U.S. vehicles and 18.5 million faulty Takata airbag inflators remain unrepaired in the largest ever auto safety recall.

Takata said in June that it has recalled, or expected to recall, about 125 million vehicles worldwide by 2019, including more than 60 million in the United States.

The report said there are 43.1 million Takata airbag inflators under recall in 31.5 million vehicles today, with scheduled expansion to about 65 million inflators by the end of 2018. Of those, 24.6 million inflators in 20 million vehicles have been repaired, the report found.

In 2019, another 4.1 million vehicles will be recalled to replace interim repair inflator



Reporting by David Shepardson

Related Video:

available, Ford will notify all owners of 2004-2006 Ford Ranger vehicles identified as non-Zone A before March 31, 2018 that final remedy parts are available.

Additionally, with respect to 2004-2006 Ford Ranger (Non-A) vehicles, Ford requests relief from the requirements of Paragraph 44 of the Fifth Amendment to the November 3, 2015 Coordinated Remedy Order dated November 9, 2017 to notify owners of a parts delay for Priority Groups 4, 5, and 6 vehicles for which programs have not yet launched. Ford is scheduled to begin sending letters announcing the availability of final repair parts beginning in December 2017 and will complete that mailing before March 31, 2018. We believe that sending the notifications required under Paragraph 44 in such close proximity with final repair letters will be confusing for owners and will dilute the effectiveness of the final repair notifications.

If you have any questions, please feel free to contact me.

Sincerely,

Mark Tunell
for
Desi Ujkashevic



Wayne E. Bahr, Global Director
Automotive Safety Office
Sustainability, Environment & Safety Engineering

Fairlane Plaza South, Suite 400
330 Town Center Drive
Dearborn, MI 481262738

November 30, 2017

Arija Flowers
Office of Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Dear Ms. Flowers:

Subject: Ford Motor Company Notice of Anticipated Shortage and Request for Extension

On April 5, 2017, Ford Motor Company (Ford) requested an extension to the Sufficient Supply & Remedy Launch Deadlines for Priority Groups 4 through 8 following the requirements of Third Amendment to the Coordinated Remedy Order. On November 9, 2017, NHTSA issued the Fifth Amendment to the November 3, 2015 Coordinated Remedy Order (the "Fifth Amendment") that amended certain deadlines for Ford. As discussed in a phone call with members of the Agency's Office of Chief Counsel on November 29, 2017, due to significant setbacks regarding final replacement part validation and the complexity associated with developing different engineering solutions for each vehicle program, Ford will be unable to meet the deadlines for Priority Groups 4 and 5 of November 30, 2017, and December 31, 2017. Ford also anticipates that, until final replacement solutions have been validated, it may not be able to meet some of the deadlines for future Priority Groups. Therefore, Ford respectfully requests a further extension of the launch schedule set forth in Paragraph 30 of the Fifth Amendment.

Because of variable development factors affecting timing, Ford is unfortunately unable to provide exact dates for its further extension request at this time. Some of the delays are due to validation test failures that have resulted in additional iterative design changes and validation testing. We have also been forced to migrate from a simpler inflator replacement remedy to a more complex and time-consuming new airbag and inflator module replacement remedy for certain vehicles. However, Ford is committed to working with NHTSA and the Coordinated Remedy Monitor team to provide timely updated information on an ongoing basis for the numerous vehicle programs covered. The timing will vary by vehicle program and inflator type. Ford will submit an updated extension request with specific timing requests for each vehicle program when data become available.

- 2 -

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne E. Bahr", written in a cursive style.

for Wayne E. Bahr

United States Department of Transportation

Q

← NEWS

NHTSA Issues Statement on 2006 Ford Ranger

Share:

January 11, 2018 | Washington, DC

Today, Ford issued a critical warning that certain recalled model year 2006 Ford Rangers with defective Takata air bags are an immediate risk to safety. Affected owners are urged not to drive these vehicles and to contact Ford immediately to schedule a free repair. Ford announced that it will send mobile repair teams to owners' homes, tow vehicles to a local dealership for repair, and provide loaner vehicles – all free of charge.

NHTSA is asking the media and the public to help spread the word. It's critical that this message reaches all affected owners. NHTSA's top priority is safety; it is extremely important that all high-risk air bags are tracked down and replaced immediately.

NHTSA will continue to ensure all consumers are kept informed of current and future recalls. To stay informed and safe, NHTSA urges all drivers to take the following five actions.

1. Visit [NHTSA.gov](https://www.nhtsa.gov) to find out if your car or truck is under recall. Search using your Vehicle Identification Number (VIN). Your search result will tell you if your car or truck is included in this or any other safety recall at this time. Vehicles scheduled for future recalls will not show up in this search, so it is important that you check regularly, at least twice per year.



Desi Ujkashevic, Global Director
Automotive Safety Office
Sustainability, Environment & Safety Engineering

Fairlane Plaza South, Suite 400
330 Town Center Drive
Dearborn, MI 48126-2738

December 18, 2017

Arija Flowers
Office of Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Dear Ms. Flowers:

Subject: Ford Motor Company Request regarding Priority Group 4 Ford Ranger vehicles

This letter supplements Ford's request for extension dated November 30, 2017, and is sent to follow-up on our phone call of December 8, 2017. With respect to 2004-2006 Ford Rangers with an SDI inflator that is part of NHTSA recall campaign 16V-036, Ford respectfully requests:

- An extension of the Sufficient Supply & Remedy Launch Deadline for 2004-2006 Ford Ranger DAB (A)¹ from November 30, 2017 to **December 31, 2017**
- An extension of the Sufficient Supply & Remedy Launch Deadline for 2004-2006 Ford Ranger DAB (Non-A) from December 31, 2017 to **March 31, 2018**
- Relief from mailing of parts delay letter to owners of 2004-2006 Ford Ranger (Non-A) vehicles

Both the driver and passenger final remedy parts for the 2004-2006 Ford Ranger vehicles have become available at the same time. In order to minimize the inconvenience to our customers and to maximize recall completion rates, Ford is launching a final remedy program on 2004-2006 Ford Ranger vehicles that includes replacing both the driver and passenger inflators during the same repair. As discussed, Ford proposes to mail to the states of California and South Carolina by December 31, 2017, and to also include the rest of Zone A. Even though Ford already launched a program to customers in the other Zone A states with "like for like" interim repair parts, Ford believes that it is in the interest of safety to notify customers in the entire Zone A region about the availability of final repair parts.

Ford intends to mail all owners of vehicles identified as Zone A by December 31, 2017, notifying them that final remedy parts are available for their vehicle beginning in January 2018. If a customer in Zone A contacts their dealer before January 2018, parts should already be available. As final remedy parts continue to become

¹ California and South Carolina only.

1 FOR 2004-2006 FORD RANGERS, AS FORD DID
2 EVERY MONTH.

3
4 44. FORD MOTOR COMPANY HAS A
5 POWERFUL MARKETING DEPARTMENT, THAT COULD
6 HAVE GOTTEN THE WORD OUT THEIR VEHICLES
7 WERE DANGEROUS. FORD MOTOR COMPANY HAS
8 STRONG MARKETING TO SELL THEIR UNSAFE
9 PRODUCTS BUT REFUSES TO MARKET THE FACT OF
10 THE NUMEROUS AND ABUNDANT SAFETY DEFECTS IN
11 THE YEAR 2015 BUT FAILED TO ALL THE WAY UP
12 TO THE PRESENT DATE.

13 45. NHSTA, AFTER THE REFUSAL AND
14 MANY EXCUSES, JANUARY 11, 2018, ISSUED
15 PUBLIC STATEMENTS OF CRITICAL WARNINGS OF
16 THE DANGERS DUE TO FORD NOT GETTING THE
17 WORD OUT AND HAD TO ASK THE MEDIA AND THE
18 PUBLIC TO SPREAD THE WORD BECAUSE FORD
19 REFUSED TO FROM THE BEGINNING PRIOR TO THE
20 INJURY OF THE PLAINTIFF.

21 46. NHSTA, AFTER THE REFUSAL OF
22 FORD MOTOR COMPANY TO PROPERLY NOTIFY THE
23 OWNERS AND DRIVERS OF THE 2006 FORD RANGER,
24 REQUESTED THE UNITED STATES CONGRESS, TO
25 HOLD SENATE HEARING DUE TO THE FAILURE OF
26 FORD MOTOR COMPANY.

27 **PAGE SIXTEEN**

28 FIRST AMENDED COMPLAINT

CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

P.O. BOX 741272

SAN DIEGO, CALIF. 92174

United States Senate

WASHINGTON, DC 20510

January 18, 2018

The Honorable John Thune
Chairman
Committee on Commerce, Science, and
Transportation
512 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science, and
Transportation
716 Senate Hart Office Building
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson,

We write to respectfully request that the Senate Commerce, Science, and Transportation Committee hold a hearing on the recall of defective Takata air bags.

While the deaths attributable to this deadly defect continue to rise, millions of defective and highly volatile Takata air bags remain on our nation's roads, putting the driving public in danger. Recently, the National Highway Traffic Safety Administration (NHTSA) confirmed that defective Takata air bags claimed their 21st victim worldwide and 15th victim in the United States.¹ Just last week, NHTSA determined that 2006 Ford Rangers pose "an immediate risk to safety" and urged owners "not to drive" these vehicles because they contain high-risk defective Takata air bags.² Yet, as of the third quarter of 2017, less than half of the 46 million defective Takata air bags currently under recall have been repaired.³ Further, by the end of 2018, an additional 19 to 24 million affected air bags are scheduled to be added to the recall as they reach a state of instability due to various factors, including age, geography, and inflator position.⁴

With such a high volume of defective air bags and such low completion rates, automakers may be unable to meet NHTSA's deadlines to complete the recalls. NHTSA has prioritized vehicles into groups based on the vehicle's risk of air bag explosion and issued deadlines for recall completion for each priority group.⁵ Millions of occupants will be at heightened risk should these much needed repairs not be quickly completed.

¹ Shepardson, David. "Ford Urges 2,900 Pickup Owners to Stop Driving After New Takata Death." *Reuters*, 11 Jan. 2018, www.reuters.com/article/us-ford-takata/ford-urges-2900-pickup-owners-to-stop-driving-after-new-takata-death-idUSKBN1F02GN.

20th Death from Faulty Takata Air Bags Reported by Honda. 20 Dec. 2017, www.cbsnews.com/news/20th-death-from-faulty-takata-air-bags-reported-by-honda/.

² Shepardson, David. "Ford Urges 2,900 Pickup Owners to Stop Driving After New Takata Death." *Reuters*, 11 Jan. 2018, www.reuters.com/article/us-ford-takata/ford-urges-2900-pickup-owners-to-stop-driving-after-new-takata-death-idUSKBN1F02GN.

³ Buretta, John D. The Independent Monitor of Takata and the Coordinated Remedy Program - The State of the Takata Airbag Recalls. The National Highway Traffic Safety Administration, 2017, The Independent Monitor of Takata and the Coordinated Remedy Program - The State of the Takata Airbag Recalls, www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/the_state_of_the_takata_airbag_recalls-report_of_the_independent_monitor_112217_v3_tag.pdf.

⁴ Ibid

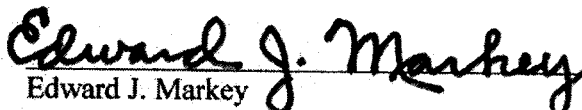
⁵ National Highway Traffic Safety Administration. 16 Dec. 2016, Third Amendment to the Coordinated Remedy Order. https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/final_public_-_third_amendment_to_the_coordinated_remedy_order_with_annex_a-corrected_12.16.16.pdf

As the Committee with jurisdiction over automobile safety, it is our obligation to explore opportunities to eliminate these deadly defects as quickly as possible and to hold accountable any entities responsible for the delay or who fail to provide adequate protections for their customers as they wait for replacement parts. It has been over two years since this Committee last held a hearing on the Takata air bag recall. Since then, there have been several additional deaths and numerous serious injuries related to defective Takata air bag ruptures. In addition, Takata recently sought bankruptcy protection, which may limit compensation for victims and funds to replace defective air bag inflators—a concerning factor for many consumers.

It is time for the Committee to reconvene on this matter and identify constructive ways to speed up the pace of the Takata recall and protect drivers who are currently at risk. Any delays in the availability of replacement parts for recalls puts the public at increasing levels of risk, as defective air bags can become more volatile over time.

We thank you for your attention to this important matter.

Sincerely,


Edward J. Markey
United States Senator


Richard Blumenthal
United States Senator

CC: The Honorable Mitch McConnell, U.S. Senate Majority Leader
The Honorable Charles E. Schumer, U.S. Senate Minority Leader

MENU

SUBSCRIBE PRO WATCHLIST

Ford urges 2,900 pickup owners to stop driving after new Takata death

Published 1:01 PM ET Thu, 11 Jan 2018

WASHINGTON, Jan 11 (Reuters) - Ford Motor Co said Thursday it had confirmed a second death in a older pickup truck caused by a defective Takata airbag inflator and urged 2,900 owners in North America to stop driving immediately until they can get replacement parts.

The second largest U.S. automaker said it was able to confirm in late December that a July 2017 crash death in West Virginia in a 2006 Ford Ranger was caused by a defective Takata inflator. It previously reported a similar death in January 2016.

Ford said both Takata deaths occurred with inflators built on the same day. At least 21 deaths worldwide are believed linked to the Takata inflators that can rupture and send deadly metal fragments that has led to the largest automotive recall in history. All of the other deaths have occurred in Honda Motor Co vehicles. (Reporting by David Shepardson Editing by Chizu Nomiyama)

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III. REPORTED FATALITIES AND INJURIES

Thus far, defective Takata airbag inflators have caused 13 confirmed fatalities in the United States, involving people from all walks of life.

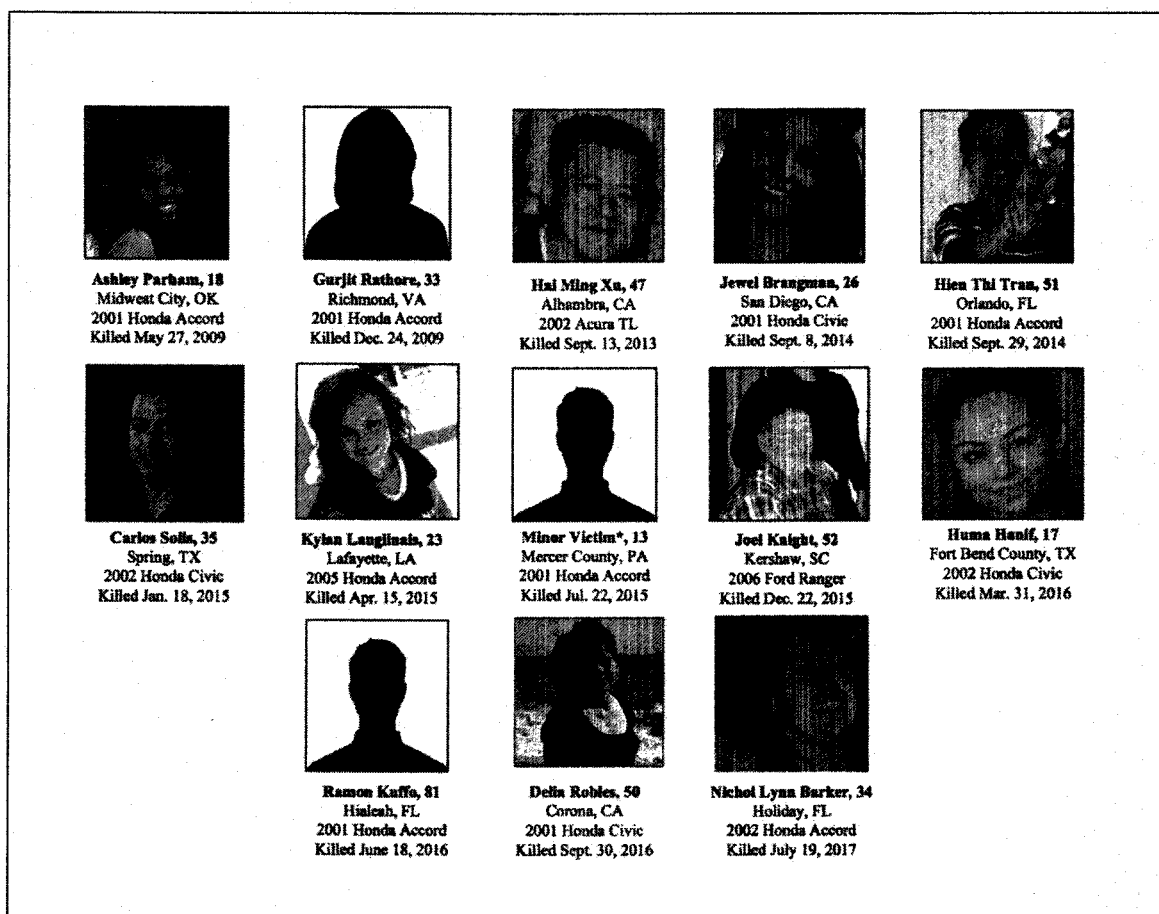


Figure 4: Confirmed Takata Airbag Inflator Fatalities

The 13 confirmed fatalities occurred in California (3), Florida (3), Texas (2), Louisiana (1), Oklahoma (1), Pennsylvania (1), South Carolina (1) and Virginia (1).

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1 47. FORD MOTOR COMPANY, MANY
2 YEARS AFTER KNOWLEDGE OF THE DANGERS OF THE
3 2006 FORD RANGER AND TWO YEARS AFTER THE
4 INJURY OF THE PLAINTIFF DUE TO THEIR
5 PRODUCT ISSUED A THREE PARAGRAPH STATEMENT
6 A FAR CRY FROM THEIR EXCLUSIVE FASHIONABLE
7 MASS MEDIA SELLS ADVERTISEMENT IN A SECTION
8 FEW ARE LIKELY AND PROBABLE TO VIEW,
9 JANUARY 11, 2018 TO STOP DRIVING 2006 FORD
10 RANGERS, BUT FAILED TO GIVE OPTIONS.

11 48. FORD MOTOR COMPANY, ISSUED
12 THE REQUEST NOT TO DRIVE THE 2006 FORD
13 RANGER MANY YEARS AFTER THEY KNEW OF THE
14 DANGER AND AFTER MANY INJURIES AND FAR TO
15 MANY DEATHS AND MOR THEN TWO YEARS AFTER
16 THE PLAINTIFF WAS INJURED.

17 **FORD MOTOR COMPANY KNOWLEDGE OF THE DEFECT**
18 **AND FORD REFUSAL AND REJECTION TO WARN**
19 **DRIVERS**

20
21 JURISDICTION: UNITED STATES DISTRICT
22 COURT, FOR THE STATE OF WASHINGTON, HAS
23 TAKEN VENUE OF NUMEROUS, FORD MOTOR
24 COMPANY, CASES, AS BOTH DEFENDANTS AND
25 PLAINTIFF'S. IN THE UNITED STATES DISTRICT
26 COURTS, THERE MUST BE UNIFORMITY OF THE

27 **PAGE SEVENTEEN**

28 FIRST AMENDED COMPLAINT

CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

P.O. BOX 741272

SAN DIEGO, CALIF. 92174

1 LAW. TO DENY A PRO PER LITIGANT FOR A MORE
2 STRINGENT AND RIGOROUS VENUE REQUIRMENT IS
3 CONTRARY TO BOTH UNITED STATES SUPREME
4 COURT HOLDINGS (ERICKSON V. PARDUS, 551 U.S.
5 89, 94 (2007) AND THE NINTH CIRCUIT HOLDINGS
6 (HEBBE V. PLILER CASE NO. 07-17265 DECIDED
7 JULY 29, 2010) THE SUPREME COURT REMINDED
8 US AFTER IGBAL AND TWOMBLY IN THE ERICKSON
9 DECISION THEY DO NOT ALTER COURTS TREATMENT
10 OF PRO SE LITIGANTS, "WE CONTINUE TO
11 CONSTRUE PRO SE LITIGANTS FILINGS
12 LIBERALLY. THERE SHOULD ACTUALLY BE A LESS
13 STRINGENT REQUIRMENT FOR PRO SE LITIGANTS
14 PURSUANT TO THE UNITED STATES SUPREME
15 COURT. THE RECALL COVERS EVERY STATE OF THE
16 NATION INCLUDING WASHINGTON

17
18 49. DESPITE THE HIGH NUMBER OF
19 RECALLS AND COMPLAINTS OF THE DANGERS POSED
20 BY THE DEFECTS, FORD CONTINUES TO CONCEAL
21 ITS EXISTTENCE FROM CURRENT AND POTENTIAL
22 CUSTOMERS ALIKE. FORD HAS NOT WARNED
23 CONSUMERS.

24 50. FORD CONCEALS THE DEFECTS
25 EVEN THOUGH IT KNOWS IT IS NOT REASONABLY
26 DISCOVERABLE BY CONSUMERS UNLESS THEY
27 EXPERIENCE A FAILURE AND ARE EXPOSED TO THE

PAGE EIGHTEEN

28 FIRST AMENDED COMPLAINT

CASE NO. : CV17-738 (RSL)

CARREA CHRISTOPHER

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1 ATTENDANT RISKS.

2 51. FORD REMAINS SILENT EVEN AS
3 IT CONTINUES TO RECEIVE COMPLAINTS FROM
4 CONCERNED DRIVERS AND THE NHTSA
5 INVESTIGATORS, AND FORD KNOWS THE 2006 FORD
6 RANGER IS EXTREMELY DANGEROUS. THEY
7 THEMSELVES ADMITT THE VEHICLE SHOULD NOT BE
8 DRIVEN BUT REFUSE TO CONVEY TO THE GENERAL
9 PUBLIC.

10 52. AS A RESULT OF FORD'S
11 INACTION AND SILENCE, CONSUMERS ARE UNAWARE
12 AS THE PLAINTIFF CONTINUE TO DRIVE THESE
13 UNSAFE VEHICLES. IN ADDITION AS THE
14 PLAINTIFF WHO EXPERIENCED A FAILURE AND
15 BROUGHT THEIR VEHICLES TO A DEALERSHIP FOR
16 REPAIRS ARE REFUSED.

17 53. NHSTA, ISSUED A NOTICE OF
18 INTENT MAY 22, 2015, AND PUBLISHED IT AFTER
19 GOING OVER THE DEFECTS OF THE 2006 FORD
20 RANGER AIR BAG WITH FORD MOTOR
21 COMAPNY, ENCOURAGING THEM AND ORDERING FORD
22 MOTOR CAMPANY, TO MAKE IT KNOWN TO THE
23 GENERAL PUBLIC, IN THE FEDERAL REGISTAR
24 WEBSITE.

25 54. AT THE INSISTENCE OF NHSTA
26 NOTIFIED FORD THAT 2006 FORD RANGERS AIR
27 BAG AND INFLATOR IS DANGEROUS.

28 **PAGE NINETEEN**

FIRST AMENDED COMPLAINT

CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

P.O. BOX 741272

SAN DIEGO, CALIF. 92174

1 PLAINTIFF EXPERIENCE:

2 55. THE PLAINTIFF, CARREA
3 CHRISTOPHER, HAD JUST CAME FROM SEATTLE TO
4 SAN DIEGO WHEN HE CAME TO A COMPLETE STOP
5 WEST BOUND AT 47TH AND IMPERIAL, SAN DIEGO,
6 CALIFORNIA, PRIOR TO HIS ROUTE BACK TO
7 SEATTLE, WASHINGTON. ANOTHER SMALL TRUCK
8 PULLED IN FRONT OF THE PLAINTIFF BUT WAS
9 STUCK IN THE INTERSECTION. INSTEAD OF GOING
10 THROUGH THE INTERSECTION HE BACKED INTO THE
11 PLAINTIFF. THE AIRBAG THEN EXPLODED WITH
12 SUCH FORCE THE PLAINTIFF WENT UNCONSCIOUS,
13 WHEN HE WAS AWAKEN HE LOOK AND "SEEN THE
14 AIR BAG HAD EXPLODED. THE PARAMEDICS AND
15 SAN DIEGO POLICE ARRIVED WITHIN TWO
16 MINUTES. THE OUTSIDE OF THE TRUCK WAS
17 DAMAGED SOME WHAT, BUT THE AIRBAG CAUSED
18 THE MOST INJURIES TO THE PLAINTIFF. THE
19 PLAINTIFF ASK THE SAN DIEGO POLICE
20 DEPARTMENT WHAT HAPPEN THEY EXPLAIN THE BAG
21 EXPLODED AT A HIGHER THEN USUAL PRESSURE.
22 THEY TOOK PICTURE OF THE PLAINTIFF AND THE
23 TRUCK FOR SOME TIME. THE PLAINTIFF SIDE AND
24 CHEST AND BACK WAS ACHING. THE PLAINTIFF
25 PHYSICIAN HAD ARRANGED FOR A FULL CHECK UP
26 THE NEXT MORNING.

27 **PAGE TWENTY**

28 FIRST AMENDED COMPLAINT

CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

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SAN DIEGO, CALIF. 92174

1 57. THE PLAINTIFF, TOOK THE
2 VEHICLE TO A FORD DEALER TO BE REPAIRED AND
3 WAS TREATED DISRESPECTFUL AND ILL MANNERED
4 AND WAS ANGRY AT THE PARTS DEPARTMENT FOR
5 INFORMING THE PLAINTIFF THE ARIBAG WAS
6 RECALLED DUE TO EXCESSIVE EXPLOSIN. THE
7 DEALER STATED PLAINTIFF COULD PURCHASE AN
8 AIR BAG BUT THEY DID NOT HAVE AIR BAGS FOR
9 THE RECALL AND THREATEN TO CALL POLICE
10 OFFICERS TO REMOVE THE PLAINTIFF FROM THE
11 FACILITY BECAUSE HE ASKED WHY. FORD MOTOR
12 COMPANY WHEN CONTACTED AND COMMUNICATED
13 WITH WAS JUST AS MISLEADING AND DECEITFUL
AS THE DEALER

14 58. THE PLAINTIFF STILL SUFFERS
15 TO THE PRESENT DATE, ESPECIALLY KNOWING IT
16 COULD HAVE BEEN PREVENTED.

17 **TOLLING OF THE STATUTES OF LIMITATIONS**
18
19

20 59. ACTIVE CONCEALMENT TOLLING:
21 ANY STATUTES OF LIMITATIONS ARE TOLLED BY
22 FORD'S KNOWING AND ACTIVE CONCEALMENT OF
23 THE FACTS THAT THE AIR BAG OF THE VEHICLE
24 SUFFERED FROM DEFECTS. FORD HAD A DUTY TO
25 DISCLOSE THIS DEFECT AND ITS CONSEQUENT
26 PERFORMANCE AND SAFETY PROBLEMS TO

27 **PAGE TWENTY ONE**

28 FIRST AMENDED COMPLAINT

CASE NO. : CV17-738 (RSL)

CARREA CHRISTOPHER

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SAN DIEGO, CALIF. 92174

1 PLAINTIFF AND THE GENERAL PUBLIC BECAUSE
2 FORD HAD KNOWLEDGE OF THIS DEFECT AND THE
3 DEFECT WAS NOT KNOWN TO NOR EASILY
4 DISCOVERABLE BY PLAINTIFF AND OTHERS.
5 DESPITE ITS AFFIRMATIVE DUTY TO
6 DISCLOSE (NHSTA RECALL REQUIRMENT) THE NATURE
7 AND EXISTENCE OF THIS DEFECT, FORD KEPT THE
8 PLAINTIFF IGNORANT OF VITAL INFORMATION
9 ESSENTIAL TO THE PURSUIT OF THEIR CLAIM,
10 WITHOUT ANY FAULT OR LACK OF DILLIGENCE ON
11 THE PART OF THE PLAINTIFF. THE DETAILS OF
12 FORD'S EFFORTS TO CONCEAL ITS ABOVE-
13 DESCRIBED UNLAWFUL CONDUCT ARE IN ITS
14 POSSESSION, CUSTODY AND CONTROL, TO THE
15 EXCLUSION OF PLAINTIFF. PLAINTIFF COULD NOT
16 HAVE REASONABLY DISCOVERED THE FACTS OF THE
17 AIRBAG AND INFLATOR DEFECTIVE.

18 60. EQUITABLE TOLLING. FORD TOOK
19 ACTIVE STEPS TO CONCEAL THE FACT THAT IT
20 WRONGFULLY, IMPROPERLY, ILLEGALLY, AND
21 REPEATEDLY MANUFACTURED, MARKETING,
22 DISTRIBUTED, SOLD THE 2006 FORD RANGER WITH
23 DEFECTIVE AIR BAG AND INFLATORS EXPOSED TO
24 TO MUCH HUMIDITY FROM THE FACTORY THAT
25 CAUSED EXSPLOSIVE DEFECTS. THE DETAIL OF
26 FORDS EFFORTS TO CONCEAL ITS ABOVE-

27 **PAGE TWENTY TWO**

28 FIRST AMENDED COMPLAINT

CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

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1 DESCRIBED UNLAWFUL CONDUCT ARE IN ITS
2 POSSESSION, CUSTODY, AND CONTROL, TO THE
3 EXCLUSION OF PLAINTIFF. HOWEVER, FORD'S
4 FAILURE TO DISCLOSE AND ACTIVE CONCEALMENT
5 OF THE DEFECTS AMOUNTS TO BAD FAITH AND
6 DECEPTION IN AND OF ITSELF. WHEN PLAINTIFF
7 LEARNED ABOUT THIS MATERIAL INFORMATION, HE
8 EXERCISED DUE DILLIGENCE BY THOROUGHLY
9 INVESTIGATING THE SITUATION AND PURSUING
10 HIS CLAIM. FORD FRAUDULENTLY CONEALED ITS
11 ABOVE-DESCRIBED WRONGFUL ACTS. SHOULD SUCH
12 TOLLING BE NECESSARY, THEREFORE, ALL
13 APPLICABLE STATUTES OF LIMITATION ARE
14 TOLLED UNDER THE DOCTRINE OF EQUITABLE
15 TOLLING.

16
17 **FRAUDULENT CONCEALMENT/NONDISCLOSURE**
18
19
20

21 61. PLAINTIFF RE-ALLEGGE AND
22 INCORPORATE BY REFERENCE ALL PROCEEDING
23 PARAGRAPHS.

24 62. FORD KNEW OR SHOULD HAVE
25 KNOWN THAT THE 2006 FORD RANGER WERE AND
26 ARE DEFECTIVE IN THE MATERIALS AND

27 **PAGE TWENTY THREE**

28 FIRST AMENDED COMPLAINT

CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

P.O. BOX 741272

SAN DIEGO, CALIF. 92174

1 WORKMANSHIP OF THE 2006 FORD RANGER WITH
2 THE ENCLOSURE OF A BOMB IN THE STEERING
3 COLUMN.

4 63. FORD FRAUDULENTLY CONCEALED
5 FROM AND/OR FAILED TO DISCLOSE TO PLAINTIFF
6 AND THE GENERAL PUBLIC AND DRIVERS THE
7 DEFECT.

8 64. FORD WAS AND IS UNDER A DUTY
9 TO THE PLAINTIFF TO HAVE DISCLOSE THE
10 DEFECTS FACTS BECAUSE:

- 11 A. FORD IS IN A SUPERIOR
12 POSITION TO KNOW THE FACTS
13 REGARDING THE DEFECTS IN THE
14 2006 FORD RANGER, AND THAT
15 THE FACTS IS/WAS LATENT AND
16 NOT EASILY DISCOVERABLE BY
17 PLAINTIFF AND OTHERS.
- 18 B. FORD WAS UNDER THE DISCLOSURE
19 ABOUT THE DEFECTS OF THE AIR
20 BAG.
- 21 C. THE DEFECTS POSES A SAFETY
22 HAZARD TO PLAINTIFF AND
23 OTHERS.
- 24 D. FORD FRAUDULENTLY OR
25 RECKLESSLY CONCEALED THE
26 DEFECTIVE NATURE OF THE 2006
27 FORD RANGER FROM PLAINTIFF

PAGE TWENTY FOUR

28 FIRST AMENDED COMPLAINT

CASE NO.: CV17-738 (RSL)

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1 AND OTHERS.

2
3
4 65. THE FACTS NOT CONCEALED
5 AND/OR DISCLOSED BY FORD TO PLAINTIFF ARE
6 MATERIAL FACTS THAT A REASONABLE PERSON
7 WOULD HAVE CONSIDERED IMPORTANT IN DECIDING
8 WHETHER OR NOT TO DRIVE THE VEHICLE.

9 66. FORD INTENTIONALLY, WILFULLY,
10 MALICIOUSLY OR RECKLESSLY CONCEALED AND/OR
11 FAILED TO DISCLOSE THE PROBLEMS.

12 67. PLAINTIFF DID NOT KNOW ABOUT
13 THE DEFECTS AND COULD NOT HAVE KNOWN ABOUT
14 THE DEFECTS WHEN HE DROVE THE 2006 FORD
15 RANGER BECAUSE OF FORDS CONCEALMENT OF THE
16 DEFECTS.

17 68. AS A DIRECT AND PROXIMATE
18 RESULT OF FORDS MISCONDUCT, PLAINTIFF HAVE
19 SUFFERED ACTUAL DAMAGES IN THAT HE DROVE
20 THE 2006 FORD RANGER UNAWARE OF THE
21 DEFECTS.

22 69. PLAINTIFF HAVE SUFFERED
23 LOSSES RESULTING FROM FORDS FRAUDULENT OR
24 RECKLESS NON-DISCLOSURE. ACCORDINGLY, FORD
25 IS LIABLE FOR ALL DAMAGES PROXIMATELY
26 CAUSED BY ITS CONDUCT IN AN AMOUNT TO BE
27 PROVEN AT TRIAL.

28 **PAGE TWENTY FIVE**

FIRST AMENDED COMPLAINT

CASE NO. : CV17-738 (RSL)

CARREA CHRISTOPHER

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1 70. FORDS ACTS WERE DONE
2 WANTONLY, MALICIOUSLY, OPPRESSIVELY,
3 DELIBRATELY, WITH INTENT TO DEFRAUD, AND IN
4 RECKLESS DISREGARD OF PLAINTIFFS. FORDS
5 CONDUCT WARRANTS AN ASSESSMENT OF PUNATIVE
6 DAMAGES IN AN AMOUNT SUFFICIENT TO DETER
7 SUCH CONDUCT IN THE FUTURE IN AN AMOUNT TO
8 BE DETERMINED ACCORDING TO PROOF.

9
10
11 **VIOLATION OF THE WASHINGTON CONSUMER**
12 **PROTECTION ACT, RCW 19.86.010**

13
14 **71. PLAINTIFF RE-ALLEGES AND**
15 **INCORPORATE BY REFERENCE THE PROCEEDING**
16 **PARAGRAPHS AS THOUGH FULLY SET FORTH**
17 **HEREIN.**

18 72. FORD IS A "PERSON" WITHIN THE
19 MEANING OF RCW 19.86.010(2) AND CONDUCTS
20 "TRADE" AND "COMMERCE" WITHIN THE MEANING
21 OF RCW 19.86.010(2)

22 73. THE CONDUCT DESCRIBED IN THIS
23 COMPLAINT CONSTITUTES UNFAIR AND DECEPTIVE
24 ACTS OR PRACTICES IN VIOLATION OF THE
25 WASHINGTON CPA.

26 **PAGE TWENTY SIX**

27 FIRST AMENDED COMPLAINT

28 CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

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SAN DIEGO, CALIF. 92174

1 74. FORD ENGAGES IN UNFAIR AND
2 DECEPTIVE ACTS OR PRACTICES BY ENGAGING IN
3 A PATTERN AND PRACTICE OF (i) FAILING TO
4 DISCLOSE AND INFORM THE GENERAL PUBLIC OF
5 RECALL DEFECTS ORDERED IN THAT THE AIR BAG
6 WAS NOT OF A PARTICULAR STANDARD, QUALITY
7 OR GRADE; (ii) FAILING TO DISCLOSE IT AND
8 ANY AND ALL KNOWN MATERIAL DEFECTS OR
9 MATERIAL NON CONFORMITY; (iv) FAILING TO GIVE
10 ADEQUATE WARNING AND NOTICES REGARDING THE
11 USE, DEFECTS AND PROBLEMS WITH THE VEHICLE
12 AIR BAGS PRIOR TO THE PLAINTIFF GETTING ON
13 THE FREWAY IN SEATTLE , WASHINGTON TO GO TO
14 SAN DIEGO.

15 75. FORDS SYSTEMATIC PARACTICE OF
16 FAILING TO DISCLOSE DEFECTS IN THE 2006
17 FORD RANGER AIR BAG, FAILING TO GIVE
18 ADEQUATE WARNINGS REGARDING DEFECTS AND
19 THESE PRACTICES OFFEND PUBLIC POLICY AS IT
20 HAS BEEN ESTABLISHED BY STATUTES,
21 REGULATIONS, THE COMMON LAW OR OTHERWISE
22 INCLUDING, BUT NOT LIMITED TO, THE PUBLIC
23 POLICY REGULATIONS ESTABLISHED BY RCW
24 19.230.005.

25 76. APART FROM THE CAPACITY OF
26 FORDS UNFAIR AND DECEPTIVE ACTS AND
27 PRACTICES TO INJURE PLAINTIFF AND OTHERS OF

PAGE TWENTY SEVEN

28 FIRST AMENDED COMPLAINT

CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

P.O. BOX 741272

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1 THE PUBLIC, SUCH ACTS AND PRACTICES ALSO
2 OFFEND THE PUBLIC POLICY LAID OUT IN RCW
3 46.70.005, RCW 46.70.101, AND RCW
4 46.70.180, AND THAT STATUTE SPECIFICALLY
5 PROVIDES:" ANY VIOLATION OF THIS CHAPTER IS
6 DEEMED TO EFFECT THE PUBLIC INTEREST AND
7 CONSTITUTES A VIOLATION OF CHAPTER 19.86
8 RCW 46. 70.310.

9
10
11 **PRAYER FOR RELIEF**

12
13
14 77. WHEREFORE, PLAINTIFF REQUEST
15 THAT THE COURT ENTER A JUDGMENT AWARDING
16 THE FOLLOWING RELIEF:

- 17 A. AN ORDER AWARDING PLAINTIFF
18 ACTUAL DAMAGES, PUNITIVE
19 DAMAGES, AND/OR ANY OTHER
20 FORM OF MONETARY RELIEF
21 PROVIDED BY THE LAW;
22 B. AN ORDER AWARDING PLAINTIFF
23 RESTITUTION, DISGORGEMENT, OR
24 OTHER EQUIVALENT RELIEF AS
25 THE COURT DEEMS PROPER;
26 C. AN ORDER AWARDING PLAINTIFF

27 **PAGE TWENTY EIGHT**

28 FIRST AMENDED COMPLAINT

CARREA CHRISTOPHER

CASE NO.: CV17-738 (RSL)

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1 PRE-JUDGMENT AND POST
2 D. JUDGMENT INTREST AS ALLOWABLE
3 UNDER THE LAW;
4 E. AN ORDER AWARDING PLAINTIFF
5 COST OF SUIT, INCLUDING
6 EXPERT WITNESS FEES;AND
7 F. AN ODER AWARDING SUCH OTHER
8 AND FURTHER RELIEF AS THE
9 COURT MAY DEEM JUST AND
10 PROPER.

11
12
13 **JURY DEMAND**

14
15
16 PURSUANT TO FEDERAL RULES OF
17 CIVIL PROCEDURE 38(B), PLAINTIFF DEMANDS A
18 TRIAL BY JURY ALL ISSUES SO TRIABLE UNDER
19 THE LAW.

20 RESPECTFULLY SUBMITTED AND DATED THIS 31ST
21 DAY OF JANUARY, 2018.

22 BY: 

23 CARREA CHRISTOPHER

24
25 **PAGE TWENTY NINE**

26
27 FIRST AMENDED COMPLAINT

28 CASE NO.: CV17-738 (RSL)

CARREA CHRISTOPHER

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AT SEATTLE
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UNITED STATES DISTRICT COURT,
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CARREA CHRISTOPHER,) CASE NO.: CV17-738
) (RSL)

PLAINTIFF,)

VS.)

JURY TRIAL DEMAND

FORD MOTOR COMPANY,)
DEFENDANT.)

CERTIFICATE OF SERVICE

I AM NOT A PARTY OF THE ABOVE ENTITLED -
CASE. A CITIZEN OF THE U.S. OVER THE AGE OF
EIGHTEEN AND A RESIDEINT OF 6709 S 7TH
STREET RENTON WASHINGTON, 08059

PAGE THRITY

FIRST AMENDED COMPLAINT

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1 I SERVED A TRUE AND CORRECT COPY OF THE
2 "AMENDED COMPLAINT TO THE FOLLOWING ADDRESS
3 AT MILLS AND MEYERS 1000 2ND AVE SEATTLE
4 WASHINGTON 98104

5
6 I CERIFY UNDER THE PENALTY OF PERJURY THIS
7 31 DAY OF JANUARY 2018 THE FOREGOING IS
8 TRRUE AND COPRRECT AT, SEATTLE WASHINGTON
9

10
11
12 BY: 
13
14

15 PAGE THIRTY ONE

BARBARA BROWN

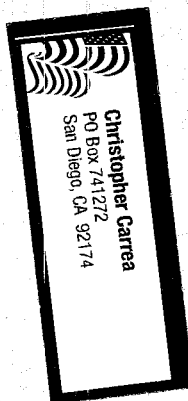
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27 FIRST AMENDED COMPLAINT

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